

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
AMARILLO DIVISION

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STEPHEN P. MILLER

v.

UNITED STATES OF AMERICA

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2:08-CV-243

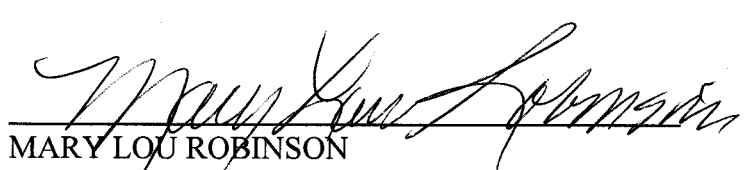
**ORDER ADOPTING REPORT AND RECOMMENDATION and
DENYING IN PART MOTION TO VACATE, SET ASIDE OR CORRECT SENTENCE**

Defendant has filed a motion to vacate, set aside or correct sentence by a person in federal custody. A Report and Recommendation was issued by the United States Magistrate Judge on September 16, 2010. Having already issued a Report and Recommendation, which the undersigned has adopted, to dismiss issues 3, 4, 5, and 6 of the motion to vacate, the September 16, 2010 Report and Recommendation recommends the denial of issues 1 and 2. No objections to the Report and Recommendation have been filed of record as of this date.

The United States District Judge has made an independent examination of the record in this case and has examined the Report and Recommendation of the Magistrate Judge. The District Judge is of the opinion the Magistrate Judge's Report and Recommendation should be, and hereby is, ADOPTED. Accordingly, issues 1 and 2 of the motion are DENIED.

IT IS SO ORDERED.

ENTERED this 15th day of October 2010.


MARY LOU ROBINSON
UNITED STATES DISTRICT JUDGE